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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CREIGHTON TAKATA, Individually and on behalf of all others similarly situated, Plaintiff, vs. RIOT BLOCKCHAIN, INC. F/K/A, BIOPTIX, INC., JOHN O'ROURKE, and JEFFREY MCGONEGAL, Defendants.	Civil Action No.: 18-2293(FLW)(TJB) **STIPULATION AND [PROPOSED] ORDER EXTENDING DEFENDANT HONIG'S TIME TO RESPOND TO LEAD PLAINTIFF'S CORRECTED CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

WHEREAS, Lead Plaintiff filed his Consolidated Amended Class Action Complaint for

Violations of the Federal Securities Law on May 8, 2019 (ECF No. 72), which was corrected on

May 10, 2019 (ECF No. 73)(the "Corrected Complaint");

WHEREAS, following a conference among counsel, and a stipulation submitted by the

served parties (ECF No. 83), on July 15, 2019 this honorable Court entered an Order directing

Defendants Barry Honig, Riot Blockchain, John O'Rourke, Jeffrey McGonigle and Catherine

Defrancesco would answer or otherwise respond to the Corrected Complaint by September 3, 2019 (ECF No. 84);

WHEREAS, the Court further ordered that if the Defendants identified in the order were to serve dispositive motions in response to the Corrected Complaint, then: (i) Lead Plaintiff shall serve his opposition papers on or before October 1, 2019 and Defendants (ii) Defendants shall serve their reply papers on or before October 22, 2019 (ECF No. 84);

WHEREAS, Defendant Barry Honig intends to file a motion to dismiss the Corrected Complaint, but his ability to timely finalize and final the motion over the past weekend was impacted by Hurricane Dorian;

WHEREAS, the parties have conferred concerning a **two day** extension of time to allow for Mr. Honig's filing of his motion to dismiss;

WHEREAS, counsel for defendants Riot Blockchain, John O'Rourke, Jeffrey McGonigle and Catherine Defrancesco have been advised of this stipulation and do not oppose it;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by counsel for the parties listed below, that:

1.   On or before September 5, 2019, Barry Honig shall file his Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint (ECF No. 73), and

2.   Lead Plaintiff shall serve his opposition papers on or before October 3, 2019, and the deadline for Mr. Honig to file his reply papers shall remain October 22, 2019.

Dated: September 3, 2019   Respectfully submitted,

SHEPPARD, MULLIN, RICHTER
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By: */s/ Tyler E. Baker*
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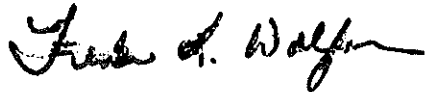Facsimile: (843) 216-9450
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*Counsel for Lead Plaintiff Dr. Stanley Golovac
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SO ORDERED this ___4ᵗʰ___ day of September, 2019.

HONORABLE FREDA L. WOLFSON
United States District Judge